

# EXHIBIT 92

## **Video Number- 16**

### **Video Title –Provisional Ballots**

**Length- 8:02 minutes**

### **Script**

*Shot: When the Host is speaking he is standing in a polling place- Ballot Marking Devices/Printers/Scanner are in the background.*

**HOST:** One thing you must always remember as a poll worker is that you NEVER allow someone to leave the polling place without being offered a ballot to vote. Rather than be voting on the ballot marking device or a paper provisional ballot...no one should be told YOU CAN'T VOTE.

Let's discuss some possible provisional ballot scenarios and play What Would You Do. First will be the person whose name does not appear on the electors list on Poll Pad.

VOTER IS AT THE POLL WORKER TABLE AND POLL WORKER IS LOOKING HIM UP ON THE POLL PAD

**POLL WORKER JAN:** I do not see your name at this precinct on the Poll Pad list of electors for this election.

**VOTER BOB:** I know I am registered to vote.

GRAPHIC- WHAT WOULD YOU DO? –with really cool sound for it too.

**HOST:** The poll worker will be on the supplemental list, then do a County Search and then a State Search on the Poll Pad and if the voter still cannot be located the voter will be offered the opportunity to vote a provisional ballot.

VOTER BOB WALKING TO THE PROVISIONAL BALLOT STATION.

**HOST:** What about the voter that is registered to vote but is in the wrong precinct.

VOTER IS AT THE POLL WORKER TABLE AND POLL WORKER IS LOOKING HIM UP ON THE POLL PAD

**POLL WORKER JAN:** I see that you are a registered voter, but this is not your precinct.

**VOTER BOB:** Can I still vote my ballot here?

GRAPHIC- WHAT WOULD YOU DO?

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**HOST:** If the voter is on the statewide list, but in another precinct, inform the voter of their assigned precinct and then let the voter decide if they would like to go to their assigned precinct, or vote a provisional ballot. Inform the voter that all votes cast for candidates for whom the voter is properly entitled to vote shall be counted and all votes cast for candidates for whom the voter is not entitled to vote shall be void. This means that only the candidates that are also on their correct precinct ballot will be counted. The voter will make the decision if they want to go to their precinct or stay. If they choose to stay, they will vote a provisional ballot.

VOTER BOB WALKING TO THE PROVISIONAL BALLOT STATION.

**HOST:** What about the voter that does not have one of the required forms of photo identification?

POLLWORKER JAN HOLDING A FAMILY CHRISTMAS CARD.

**POLLWORKER JAN:** Yes, this is a great photo of you and your whole family, but your 2012 family Christmas card is not on the list of acceptable photo ID.

**VOTER SALLY:** You have no idea how long it took us to find matching pajamas in all the sizes we needed. Plus I was having a really great hair day that day. It really is the best photo I have of myself.

GRAPHIC- WHAT WOULD YOU DO?

**HOST:** While we can all agree that is a great photo of Sally, Georgia law clearly states what is acceptable photo ID. If the voter does not have the appropriate photo identification she should be issued a provisional ballot and instructed that the ballot will be counted only if the voter provides the proper identification to the registrar's office within three days of Election Day.

VOTER SALLY WALKING TO THE PROVISIONAL BALLOT STATION.

**HOST:** What about the voter who registered for the first time by mail in Georgia but did not provide valid identification and they are flagged IDR- Identification Required?

POLLWORKER JAN AT POLL PAD STATION.

**POLLWORKER JAN:** I see on the Poll Pad that you registered to vote by mail but did not supply the proper identification needed to be fully registered.

**VOTER SALLY:** You know I remember getting a letter about that, but I set it aside with all my other mail and forgot to do anything with it. Can I still vote?

GRAPHIC- WHAT WOULD YOU DO?

**HOST:** If the voter cannot supply the appropriate identification the voter must be issued a provisional ballot. Remember the list of acceptable IRD ID to complete their registration is different than photo ID to vote.

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VOTER SALLY WALKING TO THE PROVISIONAL BALLOT STATION.

**HOST:** The next scenario can only occur if a federal race is on the ballot. The Elections Superintendent notifies you that a court order has extended the poll hours.

VOTERS ARE WALKING TO THE PROVISIONAL BALLOT STATION.

**POLLWORKER JAN:** We had a power outage for 4 hours today so we are going to be open until 11pm tonight. Please go to the provisional ballot station to cast your vote today.

**VOTER BOB:** I do not want to vote on a paper provisional ballot...I want to vote on a Ballot Marking Device.

GRAPHIC- WHAT WOULD YOU DO?

**HOST:** The polls were supposed to have closed at 7pm but a court order extended the time. ALL electors who vote during court ordered extended time vote by provisional ballot. Why? Because that is what the law says.

VOTERS ARE WALKING TO THE PROVISIONAL BALLOT STATION.

**HOST:** What about an elector that challenges another voter before they vote on the Ballot Marking Device?

VOTER SALLY WEARING A "I'M NOT LISA MY NAME IS JULIE" T-SHIRT FILLING OUT THE WHITE VOTER CERTIFICATE.

**POLLWORKER JAN:** Hello Julie, please complete and sign this voter certificate.

JULIE COMPLETES AND SIGNS AND HANDS IT BACK TO POLLWORKER JAN. VOTER TERRY IS NEXT IN LINE.

**VOTER TERRY:** I do not want to be "that person", but I feel I must. I have known this lady for 30 years. We went to high school together. She was in my wedding. We have been on vacations together. Her name is Abby Cunningham, it is not Julie.

GRAPHIC- WHAT WOULD YOU DO?

**HOST:** If one elector challenges another voter BEFORE the voter votes on the Ballot Marking Device, a provisional ballot is allowed.

VOTER WALKS TO THE PROVSIONAL BALLOT STATION.

**HOST:** Now that you know the why...let's talk about the how of issuing provisional ballots. First, make sure that you have your provisional ballot station set up when the polls open at 7am. What did I just hear you say to the person sitting next to you? Did you say "We don't get that all out unless we have to issue one". LAUGHS.....I know you did not say that, maybe my ears were clogged...because you KNOW the provisional ballot station has to be set up when you open the polls.

PULLING EAR PLUGS OUT OF HIS EARS.

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Not that we have that misunderstanding cleared up, let's go through the steps of issuing a provisional ballot.

Step One- Ask the voter to complete the provisional section of the voter certificate...it is on the back and the section is salmon colored. If the person always believes they have registered but are not showing up on the list, they will also complete a voter registration application.

INSERT GRAPHIC OF FORM....WITH SALMON FISH NEXT TO IT.

Step Two- You ensure that the forms are complete.

SHOW THESE STEPS BEING DONE. STEP BY STEP

Step Three- Print the voter's name, precinct name or number, district combination/ballot style and the date on the Official Provisional Ballot Envelope.

Check the box for which type of election and ONLY IF it is a primary the party of ballot the person has chosen.

Step Four -You write the correct Code on the Provisional Envelope and Provisional Voting Certificate.

PI is the code for a registered voter who does not have photo ID at the time of voting.

PR is the code for a person believing that he or she has timely registered to vote but whose name does not appear on electors list. Remember this voter must also complete a Voter Registration Application.

IR is the code for the voter who registered for first time by mail but did not provide required identification.

EH is the code for the voter who is casting a ballot during extended poll hours as a result of a court order (applies to federal elections only)

OP is the code for a voter who is casting the ballot Out of Precinct

X is the code for the voter who registered for the first time in Georgia but did not provide proof of citizenship.

V is the code for the person who did not verify.

Step Five- You will ask the voter to provide photo ID, unless this is the reason they are voting provisional. Initial the form in the proper space.

Step Six- You will write the voter's name on the provisional numbered list of voter and note the appropriate code in the provisional code column and ballot style in the appropriate column.

Step Seven- Give the Provisional Ballot to the voter and write the ballot number on the Provisional Voter Certificate in the space provided.

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Step Eight- Hand the voter the ballot and both Official Provisional Ballot Envelopes. Instruct the voter to go to the Provisional Ballot Booth to vote the ballot by filling in the ovals next to the candidate or question of his or her choice. When finished voting, the voter will fold and insert the ballot into the first Provisional Envelope and seal, then insert that envelope into the large salmon-colored envelope, and seal. The voter will then insert the ballot in the Provisional Ballot Container.

Step Nine- After the voter has cast the provisional ballot, provide the voter with written contact information so the voter will be able to ascertain whether the ballot was counted and, if the ballot was not counted, the reason why such ballot was not counted. If a federal candidate is on the ballot, the contact information provided to the voter must include a free access system, such as a toll-free telephone number or an internet website, to ascertain such information.

Step Ten- Place all of the voted Provisional Ballots in the provisional ballot container. Place the Numbered List of Provisional Voters and Provisional Recap Sheet in the proper envelope.

Remember: you must fill out a Provisional Recap Sheet and Numbered List of Provisional Voters for persons that vote Provisional Ballots.

Step Eleven- Be sure to check that the appropriate box in the top left corner of Numbered List of Provisional Voters has been marked to indicate the type of election.

**POLLWORKER JAN-** WOW, that is a lot of work and I really do not want to go through all the hassle if that ballot won't be counted anyway.

**HOST:** Well Jan, the last time I looked you were not the law. Section 302 of the Help America Vote Act states that in certain circumstances an individual shall be permitted to cast a provisional ballot. Whether the ballot counts or not is irrelevant. Can anyone help me out with this?

SECRETARY RAFFENSPERGER ENTER SHOT

**SECRETARY RAFFENSPERGER:** We know it's a lot of paperwork, but it is necessary and protects the security of the fair elections process. Please do not discourage a person eligible to cast a provisional ballot from casting it. Always allow a voter to cast a provisional ballot. A good rule to remember is...when in doubt- give it out.

### **Production Notes**

#### **CAST:**

- Host
- Secretary Raffensperger
- Pollworker Jan
- Voter Sally
- Voter Bob

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- Voter Terry

**SHOTS:**

- Host shots
- Poll Worker at Poll Pad
- Provisional ballot station
- Voter Bob walking to Provisional ballot station
- Voter Sally walking to Provisional ballot station
- Voters walking to Provisional ballot station
- Secretary Raffensperger enters last shot with Host

**Props:**

- Family photo Christmas card
- Provisional ballot station---full set up and all the forms
- Poll Pad
- Ear Plugs
- Salmon Fish Stuffed animal (used in other video too)

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